



Based on the Findings and Recommendation, the Court finds that any appeal of this action would present no legal point of arguable merit and would, therefore, be frivolous. *Howard v. King*, 707 F.2d 215, 220 (5th Cir. 1983).

**SO ORDERED** on this **4th day of September, 2013.**

  
Reed O'Connor  
UNITED STATES DISTRICT JUDGE